

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THOMAS NIMELY,

Plaintiff,

- v -

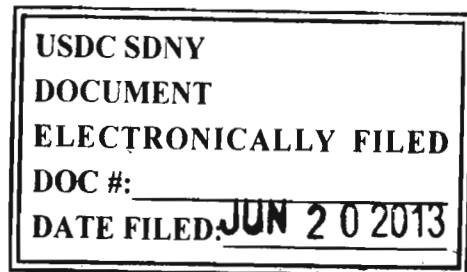
RXR 620 OWNER II LLC AND BED BATH &
BEYOND INC.

Defendants.
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Docket No. 13 CV 2069 (KBF)(GWG)

SCHEDULING ORDER

KATHERINE B. FORREST, District Judge:



The parties propose the following schedule for this matter:

1. All parties **do not** consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.
2. Close of ^{all} fact discovery: October 18, 2013 [within 4 months] (work out interim dates)
3. ~~Close of expert discovery: November 15, 2013 [25 days after the close of fact discovery]~~

The parties contemplate experts in this matter for the following subject(s): Accessibility and Finance.

4. ~~[For F.L.S.A. actions only] The plaintiff(s) [do / do not] anticipate making a motion for conditional class certification.~~

~~Proposed briefing schedule:~~

~~Opening: _____~~

~~Opp'n: _____~~

~~Reply: _____~~

~~[Opening brief filed no later than 30 days from the date of the initial pretrial conference; full briefing shall be completed within 30 days of the opening brief]~~

5. ~~The parties do anticipate making dispositive motions. The contemplated dispositive motion(s) is/are a motion(s) Summary Judgment.~~

~~Proposed briefing schedule:~~

~~Opening: November 15, 2013~~

Opp'n: December 15, 2013
Reply: ~~January 10, 2014~~ ~~02-23-2013~~

[Opening brief filed no later than the close of expert discovery;
full briefing shall be completed within 52 days of the opening
brief]

TRIAL
Nov. 4, 2013

DO NOT FILL IN BELOW – THE COURT WILL SET ITEMS 6-9

6. The next status conference in this matter is set for 10/2/13 at 1:30 PM
at _____.
7. All pretrial materials, including the Joint Pretrial Order ("JPTO"):
_____.
8. The Final Pretrial Conference ("FPTC") in this matter is set for
_____ at _____.
9. Trial in this matter shall commence on 11/4/13. Trial [will / will
not] be before a jury. Trial is anticipated to take 2 [days /
weeks].

SO ORDERED:

Dated: New York, New York
June 20, 2013

K. B. Forrest

KATHERINE B. FORREST
United State District Judge